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April 5, 2023

BY ECF

Hon. Andrew L. Carter, Jr.
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v Joyner, et al* 21 Cr. 673 (ALC)

Your Honor:

We represent the defendant Anthony Ellison in the referenced case, and submit this letter to ask that this Court direct employees at the Metropolitan Detention Center (“MDC”) to provide Mr. Ellison with access to his discovery, either at the law library or legal area of the visiting room, for a minimum of five hours per week. The reason for this request is that we have learned that Mr. Ellison’s access to discovery has been essentially eliminated in recent weeks.

Specifically, when we visited Mr. Ellison at the MDC this week he informed us that a lock-down has been ongoing for weeks, and that there is no clear end in sight. Apparently, the lock-down was prompted by the discovery of some contraband somewhere in the facility. According to Mr. Ellison and reports from other inmates relayed to us by our colleagues, the inmates have been confined to their cells 23 hours a day. In addition, there are severe limitations on use of computers. As a practical matter, it has become virtually impossible for Mr. Ellison to review his discovery during this period, and there is no way of knowing when the conditions will change.

We understand, of course, that legitimate security concerns arise occasionally, warranting measures such as lock-downs. But the duration and extent of this lock-down seems excessive. Regardless of security concerns, it is imperative that our clients continue to be provided with a sufficient opportunity to review their discovery.

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Accordingly, this Court should direct the MDC to provide Mr. Ellison access to his discovery for at least five hours per week.

Respectfully submitted,

/s/
James E. Neuman
David S. Greenfield

The application is **GRANTED**. IT IS HEREBY ORDERED that MDC-Brooklyn provide Anthony Ellison access to his discovery for at least five hours per week. So Ordered.


4/6/23